

IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL NO.15474 OF 2021

Padmalabha Sahu & Another ***Petitioners***

Mr. J. Samantaray, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Ms. Samapika Mishra, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

22.09.2022

Order No.

02.

1. This matter is taken up through hybrid arrangement (physical/virtual) mode.

2. Learned Counsel for the Petitioners submits that this Petitioners being the parent-in-laws of the deceased have been arraigned in the case with the general allegation that they were joining the husband of the deceased in demanding dowry and torturing her for non-fulfillment of the demand. He further submits that the allegation with regard to demand of dowry and torture by these Petitioners are all false and omnibus and only to see that the Petitioners are brought into picture in the case as there had arisen suspicion in their mind as to the cause of death of the deceased. He further submits that doctor conducting postmortem report has not noticed any external injury on the body of the deceased so also in the buccal cavity suggesting any physical torture or forcibly administration of poison. He further submits that here the doctor having not been able to ascertain the cause of death has sent the viscera for chemical examination. In view of all these above, when the Petitioners having remained under interim bail since 23.12.2021 have all along cooperated with the investigation, he urges that their likely arrest and detention would serve no useful purpose.

3. Learned Counsel for the State opposes the move. She however submits that charge-sheet in the case has also been submitted placing the accused persons for trial also for offence under Section-306 of the IPC.

4. Considering the submissions and on going through the materials as placed as well as nature of accusations; further keeping in view the surrounding circumstances and in the absence of any such other impediment; it is directed that in the event of arrest of the Petitioners in connection with Buguda P.S. Case No.303 of 2021 corresponding to GR Case No.298 of 2021 pending on the file of learned J.M.F.C., Buguda; they shall be released on bail by the Arresting Officer on such terms and conditions as the Arresting Officer may deem just and proper. The Petitioners are hereby directed to appear before the Investigating Officer on 11th October, 2022 in between 10 am to 2 pm and on such other date/s as asked for in order to cooperate with the investigation.

5. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan